

REMARKS

In the Office Action, claims 1-12, 33, and 34 are rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 3,951,411 to Hill et al. (hereinafter “Hill”). By the above amendments, claims 1-12, 33, and 34 are amended. Accordingly, claims 1-12 and 33-34 are currently pending in this application.

I. Rejection of Claims 1-6 and 33 under §§ 102(b).

The present invention is directed to a game board that is divided into an inner play area and an outer play area. The inner play area is divided into quarters. The playing pieces include at least six different types. The first type is referred to as “Human Beings”, the second through fifth types are different types of trees, and the sixth type is referred to as “forest spirits.” Each quarter of the inner play area includes seven trees of the same type and one forest spirit associated with the tree type. The forest spirits are each of a different color. There are four forest spirits, one in the center of each quadrant. Each forest has a unique forest spirit, denoted by color.

The independent claim 1 is directed to a game board including a plurality of pieces. The plurality of pieces are divided into the six types, each type including a plurality of game pieces. A first one of the sixth game pieces is designated by a first color and associated with the second game pieces. A second one of the sixth game pieces is designated by a second color and associated with the third game pieces, a third one of the sixth game pieces is designated by a third color and associated with the fourth game pieces, and a fourth one of the sixth game pieces is designated by a fourth color and associated with the fifth game pieces.

Hill teaches a game board and a plurality of different types of game pieces. However, in contrast to the independent claim 1, the game pieces of one type are not associated with game pieces of different types. Further, for a given type of game piece, for example the ladder, none of the game pieces of the given type (ladder pieces) is designated with a different color, for example a red ladder piece, a blue ladder piece, a green ladder piece, and so on.

For at least these reasons, the Applicant respectfully submits that Hill does not anticipate claim 1. Since claims 2-6 and 33 are dependent upon claim 1, Applicant respectfully submits that Hill does not anticipate claims 2-6 and 33 for at least the reasons discussed above. In view of the foregoing, the Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejection of claims 1-6 and 33.

II. Rejection of Claims 7-12 and 34 under §§ 102(b)

The present invention includes the first type of game pieces, referred to as Human Beings. Each Human Being is configured to include a “front” and a “back”. When all four Human Beings are properly aligned, they form a pyramid. The top point of each Human Being is considered its head, the two vertical facing sides are considered its front, and the two downward sloping sides are considered its back. When the four Human Beings form the pyramid, the back, or downward sloping sides, form the outer faces of the pyramid, as illustrated in Figure 12. Each Human Being is considered to have two eyes, one eye on each of the two front, or vertical facing, sides. When a front side of two adjacent Human Beings face each other, the two Human Beings are considered to be eye-to-eye. The two Human Beings are not considered to be eye-to-eye, when a front side is facing a back side. When a Human Being is seeing eye-to-eye the game pieces are considered to be interlocked. For each Human Being, one eye extends outwardly from the surface of one front side and the other eye is concave to receive the extending eye from another Human Being, as illustrated in Figure 14.

The independent claim 7 is directed to a game board and plurality of game pieces. The plurality of pieces are divided into the six types, each type including a plurality of game pieces. The first game pieces (the first type) are configured to be specifically aligned with each of the other first game pieces. Further, a first one of the sixth game pieces is associated with the second game pieces. A second one of the sixth game pieces is associated with the third game pieces, a third one of the sixth game pieces is associated with the fourth game pieces, and a fourth one of the sixth game pieces is associated with the fifth game pieces.

As previously discussed, Hill teaches that game pieces of one type are not associated with

game pieces of different types. Further, there is no hint, teaching, or suggestion within Hill that indicates that the game pieces corresponding to one type, for example the ladder pieces, are designed to be specifically aligned with one another.

For at least these reasons, the Applicant respectfully submits that Hill does not anticipate claim 7. Since claims 8-12 and 34 are dependent upon claim 7, the Applicant respectfully submits that Hill does not anticipate claims 8-12 and 34 for at least the reasons discussed above. In view of the foregoing, the Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejections of claims 7-12 and 34.

CONCLUSION

In view of the foregoing, the Applicant respectfully submits that all claims, namely claims 1-12 and 33-34, are in condition for allowance. Reconsideration of the rejections is requested. Allowance is earnestly solicited at the earliest possible date. The Examiner is encouraged to call the undersigned at (408) 530-9700, with questions or comments so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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